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то:	SEP - 7 2007				
		U.S. PATENT & TRADE	WARK OFFICE		
	COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON, D.C. 20231		REPORT ON THE FILING OF DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT		
	ompliance with the Act of July a court action has been filed on				
DOCKET	05cv2164	DATE FILED 4/13/05	UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION		
PLAINTIFF	Trading Technologies In 222 South Riverside Pla Chicago, IL 60606		DEFENDANT Man Group PLC Sugar Quay, Lower Thames Street London EC3R 6DU, United Kingdo		
	PATENT NO.	DATE OF PAT	ENT		PATENTEE
6,766,304		July 20, 200	Gary A. Kemp, Jean-Uwe Schlu and Harris Brumfield		ry A. Kemp, Jean-Uwe Schluetter l Harris Brumfield
6,772,132		August 3, 2004			
					100 Jan 100 Ja
			· · · · · · · · · · · · · · · · · · ·	<u> </u>	
In the	e above-entitled case, the	following patent(s)	have been incl	lude	d:
DATE INCLUDED BY					
	DATEDNIT NO			Cross Bill [] Other Pleading	
	PATENT NO.	DATE OF PATENT		PATENT	
In th	ne above-entitled case, the fo	ollowing decision has be	en rendered or j	judgn	nent issued:
DECISION/	JUDGMENT	=			
CLERK M	Iichael W. Dobbins	(BY) DEPUTY CI	LERK		DATE
		Laura Springer			8/29/07

- 3. TT is the sole and exclusive owner of the '304 patent and the '132 patent, and has the right to sue upon, and recover damages for past infringement and enjoin future infringement of the '304 and '132 patents.
- 4. All claims of the '304 and '132 patents are valid and enforceable.
- 5. PATS has infringed the '304 and '132 patents under 35 U.S.C. Section 171 by making, using, selling, offering for sale, importing, and/or otherwise distributing electronic trading software incorporating the DOME screen, which presently includes versions of PATS' "J-Trader" and "H-Trader" products, a screenshot of which is included in Exhibit A.
- 6. Defendant PATS, its officers, directors, partners, members, affiliates, subsidiaries, assigns, and successors-in-interest are hereby permanently enjoined (unless expressly permitted by TT) during the terms of the '304 and '132 patents from the making, using, selling, offering for sale, importing, facilitating connectivity for and otherwise distributing in the United States the electronic trading software products referred to in paragraph 5 above including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.).
- 7. TT waives its rights to damages from PATS arising from the manufacture, use, sale or offers to sell, importation and/or other distribution of the electronic trading software products referred to in paragraph 5 above prior to entry of this Judgment.
- 8. Notwithstanding the terms of this Consent Judgment, PATS expressly reserves the right to contest infringement if the PATS software is modified so as to not infringe

the patents-in-suit. In the event that PATS contests infringement based on PATS software that is modified, TT reserves the right to assert any and all claims against PATS including without limitation a claim of contempt of court based on a violation of this Consent Judgment in the event that the Court finds there is no colorable difference between the modified PATS software and the software that is the subject of this Consent Judgment.

- This Court shall retain jurisdiction over this case for purposes of enforcing the 9. Consent Judgment and the confidential Settlement Agreement between the parties pursuant to which the Consent Judgment is filed.
- Each party shall bear its own costs and attorneys' fees. 10.

United States District Court Judge

AGREED TO:

Dated: 5/20/05

Paul H. Berghoff (ID No. 6180462)

Leif R. Sigmond, Jr. (ID No. 6204980)

Matthew J. Sampson (ID No. 6207606) McDonnell Boehnen Hulbert

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Attorneys for Plaintiff TRADING TECHNOLOGIES INTERNATIONAL, INC.

Dated: 5/20/2005

William H. Frankel (ID No. 3127933) Kent E. Genin (ID No. 6216122)

Brinks Hofer Gilson & Lione

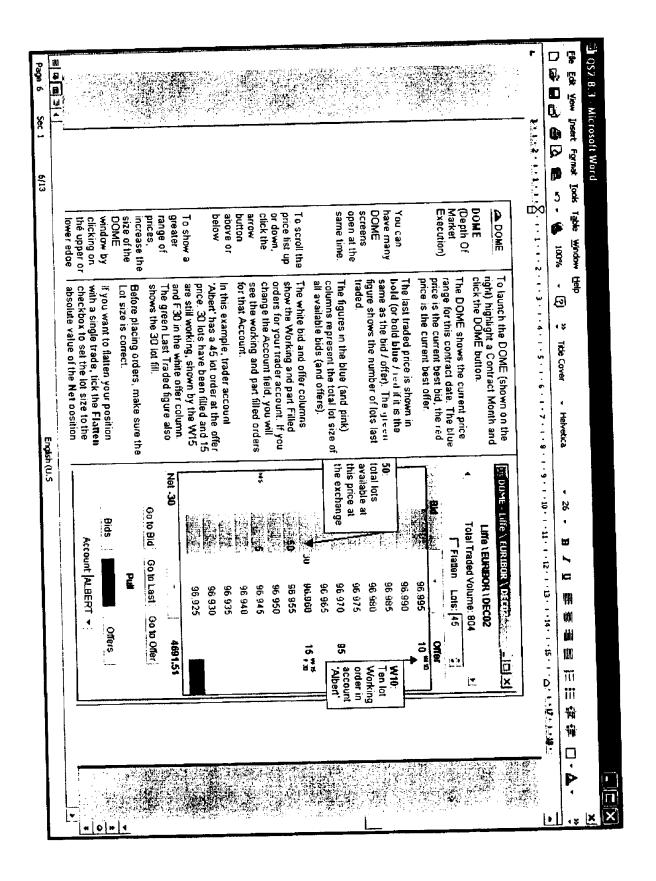
NBC Tower - Suite 3600

455 N. Cityfront Plaza Drive

Chicago, Illinois 60611-5599

Attorneys for Defendants PATSYSTEMS (NA) LLC and PATSYSTEMS PLC

EXHIBIT A



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Order Form (01/2005)

United States District Court, Northern District of Illinois



Name of Assigned Judge or Magistrate Judge	William T. Hart	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	05 C 2164	DATE	11/30/2005
CASE Trading Technologies International, Inc. vs. Man Fina		Man Financial, Inc.	

DOCKET ENTRY TEXT

Status hearing held. Enter Consent Judgment in favor of plaintiff and against defendant with each party to bear its own costs and attorneys' fees. Court retains jurisdiction to enforce the Consent Judgment.

[For further detail see attached order.]

Docketing to mail notices.

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A TRUE COPY-ATTEST MICHAEL Wy DOBBINS, CLERK	
By. DEPUTY CLERK	•
DEPUTI CHEMA.	
U. S. DISTRICT COURT, WORTHERN	ŀ
DISTRICT OF ILLINOIS	
AUG 21 2007	•
DATE:	

ı	Courtroom Deputy	CW
	Initials:	

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

As a result of settlement of this action by virtue of a confidential settlement agreement between the parties dated November 21, 2005 which shall become effective upon entry of this Consent Judgment and upon consent of Plaintiff, Trading Technologies International, Inc. ("TT") and Defendant, Man Financial, Inc. ("MAN"), judgment is hereby entered against MAN upon TT's Complaint, and it is hereby ORDERED, ADJUDGED, and DECREED that:

1. TT commenced this action for patent infringement against MAN on April 13, 2005. This action alleges that MAN infringes U.S. Patent Nos. 6,766,304 ("'304 patent") and 6,772,132 ("'132 patent").

- 2. This Court has jurisdiction over the parties to this action and over the subject matter of the Complaint.
- 3. MAN does not contest that TT is the sole and exclusive owner of the '304 patent and the '132 patent, and has the right to sue upon, and recover damages for past infringement and enjoin future infringement of the '304 and '132 patents.
- 4. MAN does not contest the validity or enforceability of any claims of the '304 and '132 patents. Accordingly, all claims of the '304 and '132 patents are valid and enforceable against MAN.
- 5. The case of TT v. Patystems (NA) LLC et al. ("Patsystems"), Civil Action No. 05 C 2984 (N.D. Ill., Judge Gettleman) was resolved on May 20, 2005 by the entry of a Consent Judgment finding that Patsystems infringed the '304 and '132 patents by making, using and selling software that incorporated a trading screen named "DOME". A copy of that Consent Judgment is attached as Exhibit 1 hereto. A screenshot of the infringing DOME product is attached as Exhibit A to that Consent Judgment. After July 20, 2004 (the issue date of the '304 patent) and prior to the commencement of this lawsuit, MAN provided to its clients electronic trading software made by Patsystems that incorporated the DOME trading screen that was the subject of the May 20, 2005 Consent Judgment. MAN does not contest the finding of infringement against Patsystems made in the Consent Judgment attached as Exhibit A. TT does not now contend that the infringement was willful or deliberate. Accordingly, the parties stipulate that MAN has infringed the '304 and '132 patents under 35 U.S.C. Section 271 by using, selling,

offering for sale, importing, and/or otherwise distributing, the DOME trading screen from Patsystems, but that MAN's infringement was not willful or deliberate.

- 6. Defendant MAN, its officers, directors, partners, members, affiliates, subsidiaries, assigns, and successors-in-interest are hereby permanently enjoined (unless expressly permitted by TT) during the terms of the '304 and '132 patents from infringing the '304 and '132 patents through the making, using, selling, offering for sale, importing, facilitating connectivity for and otherwise distributing in the United States the electronic trading software products referred to in paragraph 5 above (and substantially similar products) including, without limitation, for use in electronically trading any item (e.g., futures, options, equities, fixed-income products, etc.).
- Any claims of infringement that TT has against MAN based on MAN's use and/or distribution of electronic trading software provided by other third parties prior to entry of this judgment are dismissed without prejudice. The parties have addressed this issue in the Settlement Agreement by MAN agreeing not to infringe the '304 and '132 patents and by TT releasing MAN for all past damages relating to any past infringement. TT is not waiving the right to assert the '304 and/or '132 patents against MAN based on MAN's use and/or distribution of such third party software in the future. MAN is not waiving any rights to assert that such third party software does not infringe the '304 and/or '132 patents if TT makes such an assertion of infringement in the future.
 - 8. TT waives its rights to damages from MAN arising from the use, sale or offers to sell, importation and/or other distribution of the electronic trading software products referred to in paragraph 5 above prior to entry of this Judgment.

- This Court shall retain jurisdiction over this case for purposes of enforcing the Consent Judgment.
- 10. The right to enforce this Consent Judgment shall transfer to any successor-ininterest to TT.
- 11. Each party shall bear its own costs and attorneys' fees.

SO ORDERE	ф	1
Dated:	30	2005
]	\

United States District Court Judge

AGREED TO:

Dated: 11/30/05

Leif R. Sigmond, Jr. (ID No. 6204980) Matthew J. Sampson (ID No. 6207606)

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Dated: 1/30/05

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Attorneys for Defendant MAN FINANCIAL, INC.

EXHIBIT 1

OS

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Trading Technologies International, Inc.,	}	Civil Action No. 05 C 2984
Plaintiff,)	Judge Gettleman
٧.)	Magistrate Judge Mason
Patsystems (NA) LLC, and Patsystems PLC,)	
Defendants.)	

CONSENT JUDGMENT

As a result of settlement of this action by virtue of a confidential settlement agreement between the parties dated May 19, 2005 which shall become effective upon entry of this Consent Judgment and upon consent of Plaintiff, Trading Technologies International, Inc. ("TT") and Defendants, Patsystems (NA) LLC and Patsystems PLC (collectively "PATS"), judgment is hereby entered against PATS upon TT's Complaint, and it is hereby ORDERED, ADJUDGED, and DECREED that:

- 1. TT commenced this action for patent infringement against PATS on May 19, 2005. This action alleges that PATS infringes U.S. Patent Nos. 6,766,304 ("'304 patent") and 6,772,132 ("'132 patent"). PATS has received and reviewed a copy of the Complaint filed by TT in this action.
- 2. This Court has jurisdiction over the parties to this action and over the subject matter of the Complaint.